

ANNEX 2

Revised Duties and Responsibilities of the Monitoring Body of the Yamoussoukro Decision as admended by the African Union Specialised Technical Committee on Transport, Intercontinental and Interregional Infrastructure, Energy and Tourism, Lome, Togo March 2017

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DUTIES AND RESPONSIBILITIES OF THE MONITORING BODY (MB)

1. Terms of Reference:

The Monitoring Body, as established under Article 9 of this Decision, shall have the following duties and responsibilities. The mission of the Monitoring Body is to assist the Ministers Responsible for air Transport ensure the full implementation of the Yamoussoukro Decision and realisation of the Single African Air Transport Market in Africa. In this capacity, the Monitoring Body shall have oversight and advisory responsibilities over the functioning of the SAATM and the role of facilitating the smooth operation of the market at a strategic level, in support of the Executing Agency.

It shall therefore carry out the following duties:

1. Prepare, for adoption by the Ministers Responsible for air transport, the relevant annexes to the Decision;
2. Assist the AU to organize the meeting of the sub -committee on Air Transport of the Committee on Transport, Communications and Tourism;
3. Bring to the attention of the Ministers Responsible for air transport, any provisions of the Decision that hinders the development of air transport in Africa and/or impose difficulties in the application of the decision, with recommendation for mitigation.
4. Analyse and plan for the periodic review of the Decision (article 11.5).
5. Ensure appropriate regulations are in place for the smooth functioning of the Single African Air Transport Market;
6. Receive declarations made in accordance with the Decision, notification of withdrawals of any declaration of complaints and requests and shall inform the Depository accordingly;
7. Ensure the implementation of Resolution, Declaration, Directives and Decision of the Ministers responsible for air transport, the AU Executive Council and Assembly as concerns air transport matters in Africa;
8. Issue such Directives as necessary to the Executing Agency of YD, in

accordance with the Powers and functions of the Executing Agency and AU procedures;

9. Ensure the fair and equal application of the Yamoussoukro regulatory text on competition and consumer protection;

10. Define and advise the sub-committee on Air Transport of the Committee on Transport, Communications and Tourism on the qualification of membership of the African Civil Aviation Tribunal

11. Provide its opinion, when requested, on any disputes resulting from the application and/or interpretation of the Decision and recommend solution to the dispute to the Africa Civil aviation arbitration tribunal

12. Support the Executing Agency of YD in Formulating proposals on studies, seminars, workshops and other measures aimed at enhancing and updating air transport services in Africa;

13. Request competent national and international bodies for the support required to carry out studies, seminars, work programs and other measures aimed at enhancing and updating air transport services in Africa;

14. Ensure a seamless implementation of the Yamoussoukro Decision between and within sub-regions and the realisation of the Single Market cross the continent;

15. Advocate and facilitate fund mobilisation for sustainable operation of the single African air transport market and financial sustainability of the Executing Agency of YD.

16. Ensure the application of a monitoring and evaluation mechanism on the implementation of YD;

17. Assist the sub-Committee on Air Transport of the STC to review any reports and/or recommendation submitted to the Ministers for consideration on all activities concerning the functions of the Executing Agency and other matters requiring political Decisions in accordance with the African Union procedures;

18. Participate in the process of approving the work programme, business plan, budget, rules and regulations of the Executing Agency of YD;

19. Ensure that the Executing Agency adopts and implements appropriate rules and regulations for the smooth management of the air transport market in Africa;

20. Perform any other duties as may be required by the sub-Committee on Air Transport of the STC;

Seat of the Committee

21. The seat of the Monitoring Body will be within ECA, which is designated to serve its secretariat.

22. The Secretariat of Monitoring Body shall;

(a) Convene regular meetings of the MB and maintain records of the proceedings;

(b) Keep records of membership of the SAATM;

(c) Undertake specific studies on the performance of the single market;

(d) Prepare for the Monitoring Body draft reports on the activities of the Monitoring Body to be submitted to the Minister responsible for air transport; and

(e) Host and ensure a functional database and knowledge portal for African Air Transport is operational a report on the activities of the Monitoring Body to the Minister responsible for air transport.

Meeting

23. The Monitoring Body will meet, on a rotational basis, at least twice a year. The monitoring Body shall also participate in the Plenary meeting (ordinary sessions) of the Executing Agency of YD

Funding

24. Participation in meetings of the Monitoring Body will be funded by each participating organization.

25. Other activities of the Monitoring Body could be financed from external sources.